

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALEXANDER OCASIO,

Petitioner,

vs.

E. K. McDANIEL, *et al.*,

Respondents.

3:09-cv-00539-LRH-VPC

ORDER

This is a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 in which petitioner, a state prisoner, is proceeding *pro se*. On January 19, 2010, petitioner filed a motion for reconsideration of the court's order of January 11, 2010, in which the court denied petitioner's motion for a subpoena to obtain public documents. (Docket #21.) Respondent filed an opposition to petitioner's motion on January 20, 2010, (Docket #22) and petitioner filed a supplement to his motion on January 21, 2010 (Docket #23). On February 16, 2010, petitioner filed a second supplement to his motion. (Docket #26.)

In response to petitioner's request in his motion for reconsideration, the court has carefully considered petitioner's reply filed January 11, 2010 (Docket #18) , and his supplement to that reply filed January 13, 2010 (Docket #20). The court finds no basis for reconsideration of its prior order in those pleadings. In connection with his second supplement to his motion for reconsideration, petitioner has attached a letter from the White Pine County Clerk, denying his request for the copies of the files he seeks. The letter explains that: 1) petitioner's requests are time consuming and costly; 2) the office is unable to expend the quantity of time necessary to his request; and 3) *in forma*

1 *pauperis* status only means there is no charge for a filing fee, service of process, and one copy of any
2 filing in the case in which a party was granted such status. This court finds that this letter does not
3 demonstrate that petitioner is unable to obtain the voluminous documents which he seeks. All it
4 demonstrates is that he is unable to obtain them for free. Petitioner is informed that the fact that
5 petitioner is proceeding *in forma pauperis* in this court does not entitle him to free copies from
6 another governmental entity. Having found no basis for reconsideration of its prior order in any of
7 the pleadings filed by petitioner, the court hereby **DENIES** petitioner's motion for reconsideration.

8 DATED this 19th day of February, 2010.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE